

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

HOUSE CONCURRENT MEMORIAL 2002

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO REMOVE THE GRAY WOLF FROM THE ENDANGERED SPECIES LIST.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully requests:

3 Whereas, the United States Fish and Wildlife Service (USFWS) listed the
4 gray wolf as an endangered species in June 1976; and

5 Whereas, in January 1998 the USFWS officially designated the Blue Range
6 Wolf Recovery Area in Arizona and New Mexico for reintroduction of the
7 Mexican gray wolf as a nonessential experimental population under section
8 10(j) of the Endangered Species Act of 1973 (ESA); and

9 Whereas, the 1996 Environmental Impact Statement under which
10 reintroduction is occurring called for the release of fourteen family groups
11 over five years with the goal of reaching a population of at least 100 wild
12 Mexican gray wolves in the Blue Range Wolf Recovery Area; and

13 Whereas, after 13 years and an expenditure of more than \$24 million, \$6
14 million of which was provided by the Arizona Game and Fish Department, the
15 wolf population is currently estimated to be between 42 and 60 wolves; and

16 Whereas, after 34 years of protection under the ESA, including 13 years
17 of reintroduction efforts, efforts to recover the Mexican gray wolf have
18 failed, brought on by delays in federal decision making over virtually all
19 aspects of Mexican gray wolf recovery that are due in part to litigation
20 filed by special interest organizations such as the Center for Biological
21 Diversity, WildEarth Guardians and Rewilding Institute. This has forced the
22 USFWS to cease operating in accordance with a policy known as SOP 13, which,
23 in accordance with the nonessential experimental population rule and the
24 USFWS Mexican wolf management plan issued in 1998, allowed the removal of any
25 wolf that was believed to have committed three livestock depredation
26 incidents over a period of one year. Further, USFWS withdrew from the
27 Mexican gray wolf Adaptive Management Oversight Committee, which was designed
28 to allow agencies and other stakeholders to have ongoing input into the
29 reintroduction project; and

30 Whereas, USFWS further agreed with special interest litigants to
31 reconsider and modify the current recovery plan; and

32 Whereas, the northern Rocky Mountain distinct population segment of the
33 gray wolf was also reintroduced and exceeded the USFWS recovery level of 300
34 wolves and thirty breeding pairs in 2002; and

35 Whereas, population estimates for the northern Rocky Mountain gray wolf
36 include a minimum of 1,700 animals, which are well distributed among the
37 states of Wyoming, Idaho and Montana; and

38 Whereas, the recovery of the northern Rocky Mountain gray wolf was
39 possible only because of the success of the North American Model for
40 Management of Fish and Wildlife and the historic management and stewardship
41 of ungulates by state fish and wildlife agencies and sportsmen; and

42 Whereas, USFWS called for delisting of the northern Rocky Mountain gray
43 wolf under the Bush and Obama administrations, thereby returning management
44 responsibility to the respective state wildlife agencies; and

1 Whereas, special interest groups, including the Center for Biological
2 Diversity, the Sierra Club, the Humane Society of the United States, Earth
3 Justice on behalf of Defenders of Wildlife and others filed litigation
4 calling for relisting and protection of the northern Rocky Mountain gray wolf
5 under the ESA. This litigation has been upheld despite the fact that target
6 recovery numbers have been exceeded; and

7 Whereas, the uncontrolled management of the northern Rocky Mountain
8 gray wolf has resulted in the near decimation of several key moose and elk
9 herds and in the economic loss of tens of thousands of cattle, sheep, horses
10 and other domestic livestock; and

11 Whereas, the northern Rocky Mountain wolf recovery effort clearly
12 demonstrates the underlying objectives of special interest groups, through
13 wasteful litigation and attempts to create new legal technicalities and to
14 exploit federal reimbursement programs to pay for such litigation, to give
15 the federal government control over selected species while continuing their
16 endless assault on the rights of states to fulfill their management
17 responsibility for wildlife within their jurisdictional boundaries; and

18 Whereas, current attempts to create an indefinite ESA listing of wolf
19 populations and to micromanage state wildlife management decisions
20 demonstrate the failure to fulfill the ESA's promises; and

21 Whereas, the Bush and Obama administrations have shown their inability
22 to fulfill the ethical and legal obligations to return recovered wolf
23 populations to state wildlife protection; and

24 Whereas, the Arizona Game and Fish Commission and the Arizona Game and
25 Fish Department are recognized for their expertise in managing Arizona's
26 wildlife and have a trust responsibility under title 17, Arizona Revised
27 Statutes, to manage that wildlife, both resident and migratory, native or
28 introduced, which is statutorily designated as property of the state; and

29 Whereas, the Arizona Game and Fish Department and the Arizona Game and
30 Fish Commission are the most competent authorities to manage resident species
31 for their sustained use and enjoyment; and

32 Whereas, the Arizona Game and Fish Commission and the Western
33 Association of Fish and Wildlife Agencies have voted to endorse immediate
34 delisting of gray wolves from the ESA and to allow this species to be managed
35 by respective state wildlife agencies; and

36 Whereas, the State of Arizona, the White Mountain Apache Indian Tribe
37 and various local governments and stakeholders, coupled with conservation
38 efforts in Mexico and the State of New Mexico, are willing and able to use
39 incentives and interdiction measures without being encumbered by the gridlock
40 resulting from federal listing and litigation to increase the wolf population
41 in the state to levels that would establish and maintain a population of
42 Mexican gray wolves that is self-sustaining and managed at levels sufficient
43 to meet scientifically valid population objectives while preserving
44 sustainable populations of ungulates and other wildlife species; and

1 Whereas, Congressional delisting prevents unacceptable delays to
2 much-needed recovery of some of the west's most important wilderness herds of
3 elk and moose and prevents the states from exercising their right to restore
4 balance within the ecosystem.

5 Wherefore your memorialist, the House of Representatives of the State of
6 Arizona, the Senate concurring, prays:

7 1. That the United States Congress take immediate action to delist the
8 gray wolf from the Endangered Species Act and return management of the gray
9 wolf to the states, unencumbered by federal interference through the
10 Endangered Species Act or any other law or regulation.

11 2. That the Secretary of State of the State of Arizona transmit copies
12 of this Memorial to the President of the United States Senate, the Speaker of
13 the United States House of Representatives and each Member of Congress from
14 the State of Arizona.

PASSED BY THE HOUSE MARCH 9, 2011.

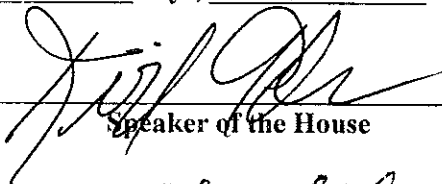
PASSED BY THE SENATE APRIL 20, 2011.

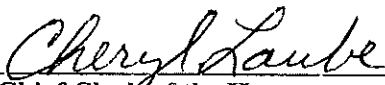
FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2011.

Passed the House March 9, 20 11

by the following vote: 39 Ayes,

20 Nays, 1 Not Voting

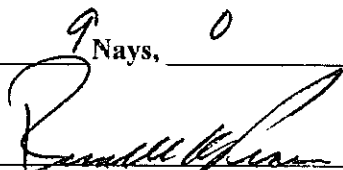

Speaker of the House

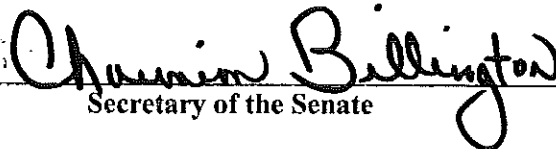

Cheryl Laube
Chief Clerk of the House

Passed the Senate April 20, 20 11

by the following vote: 21 Ayes,

9 Nays, 0 Not Voting


President of the Senate


Chaimin Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Resolution received by the Secretary of State

this 20th day of April, 20 11

H.C.M. 2002

at 8:32 o'clock a M.


Secretary of State